

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.415/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.08.01.2020/NCLAT/UR/57)

In the matter of:

Jagdish Prasad Sardada Appellant
Versus
Allahabad Bank Respondent
Appearance: Ms. Tanu Priya Gupta, Advocate the Appellant.

28.01.2020

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Appellant filed the Memo of Appeal on 08.01.2020 and the Office after scrutiny of the Memo of Appeal on 09.01.2020, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 22.01.2020. It is stated in the Interlocutory Application (IA) that the defect could not be removed on time as the Counsel was travelling and returned on 12.01.2020 late night. However, when the office Clerk visited the NCLAT he was informed that the Court premises has been shifted and no filing would be accepted till 16.01.2020. On 16.01.2020 the Clerk was informed that signature of the Counsel was not there on one of the pages of the Appeal. Hence, there is delay of seven days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing for the Appellant and perused the averments made in the IA as well as Office report.

4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the IA, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.

5. List the case before the Hon'ble Bench under the heading 'for admission'.

6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar